IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 178 of 2001

Yaseen Abdul Bagwan and Ors ... Appellants

V/s

Aminabi Adam Bagwan and Ors. ... Respondents

Shri P.R.Arjunwadkar for Appellants

Shri N.J.Patil for Respondent no.2

CORAM:S.R.SATHE,J.

DATED:6th Nov. 2006

P.C.:-

1. Heard the learned Advocate for the appellant.

2. It is submitted by the Respondent that Respondent no.1 has already expired and his heirs are not brought on record and appeal is dismissed against Respondent no.1. on 16-10-2004.

3. Decree for parititon and separate possession is passed by the First Appellate Court. No error of law in the said order. There is no substantial question of law involved in the present appeal and as such the second appeal has to be dismissed in limine.

4. Hence the appeal is dismissed.

(S.R.SATHE,J.)